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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/536,929

10/03/2005

Miguel Lancho Doncel

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11/10/2008

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EXAMINER

STERLING, AMY JO

ART UNIT

PAPER NUMBER

3632

MAIL DATE

DELIVERY MODE

11/10/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/536,929	Applicant(s) LANCHO DONCEL, MIGUEL	
	Examiner AMY J. STERLING	Art Unit 3632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 May 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>5/31/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is the first Office Action for application number 10/536,929, ATTENUATION DEVICE, filed on 5/31/05. Claims 1-18 are pending.

Information Disclosure Statement

The information disclosure statement submitted on 5/31/05 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement has been considered by the examiner.

Drawings

New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because the line quality and shading is not within accepted PTO practice. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 5, 6, 8-12, 15 and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by United States Patent Publication No. 2003/0006341 to Buder.

The publication to Buder discloses an attenuation device (10) including a surface of a straight cylinder revolution (14) with a circular cross section comprising a set of slots (20, 22) distributed over the both surfaces of revolution characterised the slots being adapted to confine a viscoelastic elastomer material (15) within the limits defined by the slots, a slot being generated by a line passing through a fixed point and following a given curve on one side of the surface of revolution and wherein at least one slot is generated by a line moving parallel to itself and the other slot and following the given curve and wherein at least two slots are communicated through at least one section.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4, 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent Publication No. 2003/0006341 to Buder and in view of United States Patent No. 2819060 to Neidhart.

Buder discloses applicant's basic inventive concept, all the elements which are shown above with the exception that it does not show wherein the surface of revolution is a cone frustum and wherein the elastic material is adapted to comprise at least two bands of elastic material.

Neidhart teaches an attenuation device having a surface of revolution (2) which is a cone frustum and with elastic material which at least two bands (3) of elastic material, used to attenuate vibration. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made from the teachings of Neidhart to have used an attenuation device with the above configuration in order to stop vibration for the desired device.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent Publication No. 2003/0006341 to Buder and in view of United States Patent No. 2386463 to Hile.

Buder discloses applicant's basic inventive concept, all the elements which are shown above with the exception that it does not show wherein each slot extends according to an undulating curve.

Hile teaches an attenuation device with a slot (25a) that extends according to an undulating curve with an elastic material inside of the slot, used to attenuate vibration.

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Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made from the teachings of Hile to have used an attenuation device with the above configuration in order to stop vibration for the desired device.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent Publication No. 2003/0006341 to Buder and in view of United States Patent No. 5746411 to Bruas et al.

Buder discloses applicant's basic inventive concept, all the elements which are shown above with the exception that it does not show wherein the set of slots defines on the surface of revolution a spool formed by two cones joined at the vertex.

Bruas et al. teaches an attenuation device wherein a set of slots (19) defines on the surface of revolution a spool formed by two cones joined at the vertex, used to attenuate vibration. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made from the teachings of Bruas et al. to have used an attenuation device with the above configuration in order to stop vibration for the desired device.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent Publication No. 2003/0006341 to Buder and in view of United States Patent No. 5899431 to Lefol.

Buder discloses applicant's basic inventive concept, all the elements which are shown above with the exception that it does not show wherein the set of slots defines on the surface of revolution an H-type shape..

Bruas et al. teaches an attenuation device wherein the set of slots (55, 54) defines on the surface of revolution in an H-type shape, used to attenuate vibration. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made from the teachings of Lefol to have used an attenuation device with the above configuration in order to stop vibration for the desired device.

Conclusion

Any inquiry concerning this communication should be directed to Amy J. Sterling at telephone number 571-272-6823. The examiner can normally be reached (Mon-Fri 8am-5:00pm). The fax machine number for the Technology center is 571-273-8300 (formal amendments), informal amendments or communications 571-273-6823. Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist at 571-272-3600.

/Amy J. Sterling/
Primary Examiner, Art Unit 3632
11/7/08